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UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

In Re Bard IVC Filters Products Liability  
Litigation

No. MD-15-02641-PHX-DGC

**STIPULATION RE PROPOSED  
CASE MANAGEMENT ORDER RE  
AMENDED DISCOVERY  
SCHEDULE FOR BELLWETHER  
GROUP 1**

The Parties submit this stipulation for an entry of a Case Management Order regarding an amended discovery schedule for Bellwether Group 1. A copy of the proposed case management order is filed herewith.

Based on the Court's prior orders (and its intention to conduct a trial or trials before the end of 2017), the Parties submitted a proposed schedule for discovery in Discovery Group 1 and Bellwether Group 1 that this Court adopted in Case Management Order No. 20 [Doc. 4335]. Therein, Parties proposed and the Court adopted a schedule that was designed to complete Bellwether Group 1 discovery by July 14, 2017 on an expedited schedule that included the following deadlines for case-specific discovery:

Plaintiffs' case-specific expert disclosures for Bellwether Group 1	May 15, 2017 (or two weeks after selection of Bellwether Group 1, whichever is later)
Defendants' case-specific expert disclosures for Bellwether Group 1	June 12, 2017 (or two weeks after selection of Bellwether Group 1, whichever is later)
Rebuttal case-specific expert disclosures for Bellwether Group 1	June 26, 2017 (or two weeks after selection of Bellwether Group 1, whichever is later)
Deadline for case-specific discovery	June 30, 2017
Deadline for expert depositions for Bellwether Group 1	July 14, 2017

These dates were set to complete Bellwether Group 1 case-specific discovery at the same time as the completion of common expert discovery: July 14, 2017.

In Case Management Order No. 23 [Doc. 5770], this Court made two significant rulings that impact the bellwether case-specific discovery. First, it extended common MDL expert discovery through July 31, 2017. Second, it indicated that bellwether trials will not commence until 2018.

In light of those changes, the parties have stipulated to the following amended schedule of dates and deadlines for fact and expert discovery in the Bellwether Group 1 cases:

Plaintiffs' case-specific expert disclosures for Bellwether Group 1	June 5, 2017
Defendants' case-specific expert disclosures for Bellwether Group 1	July 3, 2017

Rebuttal case-specific expert disclosures for Bellwether Group 1	July 17, 2017
Deadline for case-specific medical witness depositions	August 7, 2017
Deadline for expert depositions for Bellwether Group 1	August 7, 2017
Deadline for case-specific discovery other than medical witness depositions	August 15, 2017

The parties have agreed that the foregoing proposed schedule will not affect the schedule for filing summary judgment and *Daubert* motions as set by the Court in Case Management Order No. 23.

The parties have separately submitted a proposed form of Case Management Order for these deadlines and jointly request that the Court enter that order.

RESPECTFULLY SUBMITTED this 24th day of May 2017

GALLAGHER & KENNEDY, P.A.

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**Certificate of Service**

I hereby certify that on this 24th day of May, 2017, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/Deborah Yanazzo  
Deborah Yanazzo